

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IGNACIO PRADO,

Plaintiff,

v.

FORTUNE, et al.,

Defendants.

No. 1:21-cv-00459-ADA-HBK (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATION

(ECF No. 14)

Plaintiff Ignacio Prado is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. (ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 25, 2023, the assigned Magistrate Judge filed findings and recommendations, recommending this action be dismissed for Plaintiff's failure to obey court orders and prosecute the case. (ECF No. 14.) Specifically, Plaintiff failed to file an amended complaint after the Magistrate Judge screened the initial complaint and found that it failed to state a claim. (*Id.*) Therein, the Court notified Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days after service. (*Id.* at 5.) The findings and recommendations were returned as undeliverable on July 31, 2023. (*See* docket.) In accordance with local rules, Plaintiff was afforded over sixty-three (63) days to file an updated address with the Court, but he has failed to do so. (*Id.*) Additionally, Plaintiff failed to file any objections to the findings and

1 recommendations and the time to do so has expired.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a
3 de novo review of this case. Having carefully reviewed the entire file, the Court finds the
4 findings and recommendations to be supported by the record and by proper analysis.

5 Accordingly,

- 6 1. The findings and recommendation filed on July 25, 2023, (ECF No. 14), are
7 ADOPTED in FULL;
8 2. This action is DISMISSED without prejudice for Plaintiff's failure to obey court
9 orders and failure to prosecute; and
10 3. The Clerk of Court shall terminate any pending motions, close this case, and enter
11 judgment against Plaintiff.

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14 IT IS SO ORDERED.

15 Dated: October 25, 2023

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UNITED STATES DISTRICT JUDGE
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